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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Written statement submitted by the International Federation Terre des Hommes, a non-governmental organization in consultative status (category II)

The Secretary-General has received the following communication, which is distributed in accordance with Economic and Social Council resolution 1296 (XLIV).

[18 July 1994]

GE.94-13312(EXT)

Anti-personnel land-mines

1. The International Federation Terre des Hommes (FIDTH) wishes to draw the attention of the Sub-Commission on Prevention of Discrimination and Protection of Minorities anew to the subject of anti-personnel land-mines. We must repeat that the use of mines of this kind gives rise to numerous violations of human rights and the rights of the child, and particularly of the right to life, to health and to development. The situation requires a rapid response and a firm commitment on the part of the international community, which has already and repeatedly recognized the urgency of the problem.

2. Anti-personnel land-mines are a fearsome weapon. They are designed to maim and kill, and they inflict immense suffering on their victims. They strike indiscriminately and blindly, regardless of whether the target is a soldier or a civilian, a woman or a child. Unlike the gun of a soldier, which he can decide to put away once peace is restored, they are uncontrollable once they have been activated. In Europe, for example, civilians are still being killed by mines laid over half a century ago. They are weapons without a master's hand to control them; they prolong conflicts indefinitely and compromise the establishment of lasting peace. The increase in the use of anti-personnel land-mines reflects trends in modern warfare, where the objective is not only to demoralize the opposing army but also to terrorize the civilian population.

3. There are believed to be between 65 and 110 million active land-mines throughout the world, in over 20 countries; 10 million of them are in Afghanistan, 9 million in Angola, 4.5 - 10 million in Cambodia and 5 - 10 million in Iraq. It is also estimated that there are 100 million land-mines stored in various places and that 2,500 people are killed or maimed for life in peace-time every month by anti-personnel land-mines.

4. In Cambodia the density of land-mines is such that they constitute one of the three principal public health problems, alongside tuberculosis and malaria. In that country amputees number over 30,000 - one out of every 230 members of the population. Cambodia is the country with the highest proportion of disabled persons, and land-mines are still claiming nearly 300 victims every month. Amputees sometimes have to wait 10 years to obtain an artificial limb, and less than 20% of them return to working life. In Afghanistan, it is estimated that 200,000 persons have been killed and 400,000 injured by land-mines over 15 years. Another 600,000 persons are expected to suffer the same fate. In Iraq, entire areas have been mined, and several thousands of people have fallen victim to them. In Angola, where there are over 20,000 amputees, land-mines are still killing 120 people every month.

5. Children certainly form the group which has suffered most from the use of anti-personnel land-mines. UNICEF estimates that in Afghanistan over 100,000 children have lost limbs as a result of mine explosions; and a study has established that in northern Somalia 76% of all persons injured by land-mines are children under age 15. In Afghanistan and Cambodia, 23% of all persons injured are children; and in former Yugoslavia at least two children are maimed by exploding mines every day. Children are more vulnerable than adults to the effects of land-mines and die of their injuries sooner. Moreover, the fact that within the community their role is frequently one of collecting wood or taking the flocks out to pasture means that they are more exposed to the proximity of land-mines. Finally, UNICEF estimates that in El Salvador only 10 - 20% of disabled children receive any rehabilitation assistance. In Angola

and Mozambique only 10 - 20% of disabled children receive even a roughly made artificial limb. The others receive only a pair of crutches and have to make shift for themselves.

6. In addition to the exorbitant human cost just described, anti-personnel land-mines have a very high socio-economic cost and constitute an obstacle to development. In the countries in which fields, villages, roadways and paths have been mined, economic reconstruction is seriously hampered. Refugees and groups of displaced persons cannot return home or are obliged to camp in the neighbourhood of their homes. Large tracts of arable land become unusable, leading to a fall in production and damage to the local economy. In Cambodia, for example, 23% of the land area of Battambang province, once one of the richest in the country, is now in forbidden zones. The rice deficit for the country as a whole is now several hundred thousand tons. In Angola some of the most fertile land areas in Africa are no longer cultivated for fear of the effects of land-mines. To these costs must be added the extremely high cost of treating and rehabilitating victims. Lastly, land-mines have harmful effects on the environment, since they introduce toxic substances into the soil.

7. In the face of this continuing tragedy, there is one course of action which is essential - mine clearance. However, this is a delicate and costly operation, as little research has been undertaken into improving its techniques. It is also highly dangerous; statistically, mine clearance claims one victim for every 5,000 mines neutralized. In Afghanistan 16 lives have been lost in the clearance of 68 km2. The cost of disarming a mine (the initial cost of which did not exceed $ 3) is between $ 300 and $ 1,500. The removal of all anti-personnel land-mines would cost $ 200-300 billion and would take dozens of years. The community therefore has a duty to address this problem rapidly and to begin to mobilize the necessary resources. It should also be remembered that 340 different types of land-mines are produced by at least 48 countries and that 29 countries export them. Consequently part of the responsibility for mine clearance should be laid at the door of the producers and users of anti-personnel land-mines.

8. Every year 80,000 land-mines are neutralized; but during the same period some 2 million new ones are laid. If this situation continues, it will clearly be impossible to deal with the grave problem of anti-personnel land-mines. The international community therefore has a duty to adopt other methods. Some States have already proceeded from words to deeds. Belgium, France, the Netherlands, Switzerland and the United States have declared moratoriums on exports of anti-personnel land-mines. The FIDTH welcomes these encouraging steps forward.

9. The past and future victims of anti-personnel land-mines cannot be satisfied with promises. These mines must be considered as weapons of mass destruction constituting a danger to humanity as serious as chemical and biological weapons. The only real long-term solution lies in the total prohibition of the production, sale and use of anti-personnel land-mines. The FIDTH therefore wishes to recommend that the Sub-Commission on Prevention of Discrimination and Protection of Minorities:

I. Call on all member States of the United Nations:

(a) To ratify, where necessary, the Convention on Prohibitions or Restrictions on the Use of Weapons which may be Deemed to be Excessively Injurious or to have Indiscriminate Effects;

(b) To support, at the conference for the revision of that Convention, measures designed to achieve a total prohibition of the production, marketing and use of all forms of anti-personnel land-mines;

(c) To envisage, in accordance with United Nations General Assembly resolution 48/75, unilateral measures to declare a moratorium on the manufacture, sale, transfer and export of anti-personnel land-mines;

(d) To cooperate at all levels in mine clearance operations and in efforts to bring about the physical, mental, social and economic rehabilitation of the victims of land-mines;

II. Communicate to the Commission for Human Rights its grave concern at the indiscriminate and harmful effects of anti-personnel land-mines.